



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

NORTH AMERICAN REVIEW.

No. CCCCXCIV.

JANUARY, 1898.

WHY HOMICIDE HAS INCREASED IN THE UNITED STATES.—II.

BY PROFESSOR CESARE LOMBROSO.

BARBARISM AND CIVILIZATION.

THE special conditions under which North American civilization has been developed are such that the results, even with respect to the white race, present an intermingling of the effects and dangers of the maximum of civilization and the maximum of barbarism. The types developed by Aryan civilization are twofold; the first is a type of violence, where the struggle for existence is met by force, political power, and wealth, which unite and maintain themselves by arms to the detriment of the weak; and as competition between ancient communities was supported by armed forces, so at the present time litigation is frequently anticipated and solved by violent means. Brigandage may be regarded as a species of natural adaptation to the conditions arising from bad government. When the police fail to provide protection against oppression and crime, when the ministers of the law tyrannize over the weak and are blind to the wrongdoing of the strong, then brigandage, like the *camorra*, steps in and opposes cunning and force to the evil conditions existing. In other words, it becomes a sort of wild justice, substituting its own sav-

VOL. CLXVI.—NO. 494.

1

Copyright, 1897, by THE NORTH AMERICAN REVIEW PUBLISHING COMPANY. All rights reserved.

age methods for the civil justice which is lacking. Thus, during the time of serfdom in Russia, the mujik had no defence save homicide against the intolerable tyranny of his master, the consequence being that there was hardly a great family in the country but could count a number of assassinations among its members.

"The *Cafoni*," testified Govone before a commission of inquiry in Southern Italy, "consider brigandage as the avenger of the wrongs they suffer at the hands of society." "We have," wrote Franchetti, "a class of peasants who are almost agricultural slaves, and, on the other hand, a group of persons who appear to hold themselves superior to the law; so that the former, finding that the law affords them no protection, have acquired the habit of taking justice into their own hands." Add to this the savage prejudice, widely inculcated, that he who would not avenge an insult is no man, and, therefore, that manly dignity demands that he should execute justice himself and not through the medium of the law, and it becomes evident how violence comes to be considered a virtue. So rooted was this idea that up to a very recent period a Roman woman of the people would have refused to marry a man who had never used his dagger, and no husband would ever assist the authorities to place their hands upon a robber or an assassin.

The other and more modern type of civilization shows a tendency, with the growth of government offices, universities, charitable institutions, hospitals, etc., to desert the small centres and to establish itself in more active communities where the criminally inclined find greater inducements and greater impunity, and where the mere fact of agglomeration frequently acts as a spur to crime and immorality.

In such a state of civilization the struggle for existence is carried on with craft and deceit; the cavilling of lawyers takes the place of the duel; political power is acquired, not by force of arms, but with money extracted from the pockets of others by official fraud or by tricks of the exchanges; while commercial war is carried on not only by perfecting the means of production, but also by deceit and by adulterations, which furnish the illusion of cheapness.

Each of these types of civilization has its corresponding special type of criminality. The one accompanied by violence has within

it a spirit of atavic criminality. It shows a tendency to return to primitive conditions, to a state of barbarism, which blunts the moral sense. Far from shuddering at homicide, it frequently considers that crime as heroic, and revenge as a duty. Crimes of blood are thus multiplied and the formation of criminal associations encouraged.

In an advanced state of civilization excessive culture introduces new forms of crime; such, for instance, as homicide for the purpose of collecting insurance, or murder by means of arsenic acid in times of cholera.*

Civilization, by weakening family ties, not only tends to increase the number of foundlings (to become future criminals) but also to the abandonment of the aged, and to an increase of rape and infanticide.

Liberal political laws, new forms of popular government, and a free press widely diffused, all favor the formation of corporations, either commercial or for mutual aid. A semblance of politics being infiltrated into these, they are sometimes enabled to enjoy immunity for acts which, if committed by an individual, would bring the latter within reach of the law.

These two types of criminality, like the two types of civilization, are to be found in the United States. In some of the newer States where civilization has only recently penetrated, and to which has been attracted the least cultured class of immigrants, the population is sparse and the means of social defence are few. In some parts of those sections, acquired as they were by methods all too primitive—that is, by violently expelling the red-man—homicide may be said to be the only defence in case the settler's rights are transgressed. Those who invaded the territory of the Indian and who based their rights upon conquest, thought no more of killing a red-man than a hunter would of killing a monkey, and the consequence was they became so accustomed to homicide that the instinct has not yet become eradicated. The same may be said of the former slave holders, who were so used to disposing of the lives of their slaves that no

* In Vienna there was found to exist an association of mendicants who had their passports, false declarations, and a corps of travelling agents, the latter receiving 30 per cent. for information furnished by them. Armand had conceived the crime of feigning to have been bound and nearly strangled by his employer from whom he would subsequently demand hush-money. The knowledge that the symptoms of cholera are similar to those produced by arsenic acid poison suggested to two doctors, during a cholera epidemic, the idea of insuring their patients and then poisoning them with that drug.

more importance was attached to the life of a negro than to that of a domestic animal in Europe.

The barbarous condition still continues in those States which have been but recently admitted to the Union, and is rampant in those where gold is sought for in vast solitudes where man returns to almost the primitive state, and where his own individual energy or that of a small group—I might almost say clan—is the surest guarantee of defence and of the accomplishment of his aim. Under circumstances like these, violence frequently becomes legitimate and homicide an act of defence. Even when the cause has ceased, and when the law, with that rapidity which is only witnessed in the Northern States, steps in and asserts itself, as in California, even then respect for human life is not deeply rooted. Homicides continue frequent, authority is defied, whether it be for the purpose of destroying industrial competition or putting an end to private strifes, or for the purpose of revenge. Frequently a criminal society is seen dominating a wide extent of country by instituting a reign of terror in the community. Such were the Molly Maguires and the White Caps, so powerful a few years ago in the Central States.

No less numerous are the crimes provoked by what may be termed the excessive civilization and too rapid progress of the United States. The vast extent of the country, containing immense tracts of virgin soil, and the long lines of railroad, great stretches of which are hundreds of miles distant from any civilized centre, furnish opportunities for a special crime, train wrecking for the purpose of robbery, resulting frequently in the killing of the passengers. In addition to this, owing to the vast development of the railroad system and the great speed at which trains are run in obedience to the demands of feverish American life, railroad accidents, with their attendant casualties, are so frequent that from 1888 to 1892 30,000 people are said to have been killed and 50,000 wounded in such disasters.

Even some of the greatest and most important of the economical associations of America, as for example that of life insurance, furnish to heartless speculators in human life incentives for assassination; and again progress in chemical and toxicological science is brought into the service of crime, as witness the case of Holmes, to whom poison served as the means and life insurance the motive for the commission of his nefarious deeds. So true

it seems to be that no great benefit is introduced but it is accompanied in its train by some deplorable evil. In fact, not only chemical and toxicological science, but all the other facilities of modern times are brought into play for the commission of crime, notably the telegraph, the telephone and the advertising columns of the newspapers, the latter being employed even in Australia, where not a few crimes have been occasioned by life insurance and facilitated by advertisements in the press. Even progress in liberty—that progress which has placed America in the vanguard of civilization—has at times been made the occasion of sanguinary crimes, as witness the cases of presidential assassination at the hands of political fanatics. To the same cause may be attributed the woundings and killings during electoral and especially during Presidential campaigns, which are not infrequent occurrences in the United States.

It is precisely this great American liberty which, by confounding politics with justice, particularly at the time of elections, occasionally renders the judges partial to criminals of their own party, thus weakening the law and the police, and converting these into mere instruments of a political faction. These forces become still more inadequate by reason of the limited number of officials and by the fact that their term of office lasts for but a brief period. To this must be added the further fact that, as the action of the law and the police is confined within the limits of the State, it would seem that there must be a tendency toward insufficiency and tardiness in the repression of crime. This explains, if it does not justify, public executions, which may, for the public welfare, serve as a counterpoise to judicial subtlety and the insufficiency of the police, but are often the cause of a new kind of homicide perhaps graver in its effects, since it accustoms the most civilized and humane people in the world to scenes of violence—to the terrible spectacle of collective homicide, a spectacle which at times seems to produce the very crime it is supposed to repress.

Hence it is that, with a view to preventing this tendency and to debar the public from witnessing the spectacle of capital punishment, several of the States have provided for the infliction of the death penalty within the confines of the prison. But one might ask, what do these rare cases of humane precaution avail, when impunity is accorded to the parties engaged in those nu-

merous public executions which are the result of lynch law, and in which otherwise honest men are not only spectators but willing participants; executions where frequently the solemnity (at least apparent) of legal capital punishment is superseded by ribaldry and brutal laughter, where not only is the supposed culprit put to death, presumably for the public welfare, but the crowd enjoys the sight of his frequently prolonged suffering, thus reviving mediæval torture for the sake of the diversion and enjoyment of the mob.

Further, as I have before observed, a high state of civilization seems to lead to the abuse of stimulating and exciting substances such as alcohol, cocaine, and hashish; for, the nervous centres being more keenly developed, there ensues a greater necessity for nervous excitement. Hence the statistics showing 20 per cent. of purely alcoholic homicides, a figure which would probably be greatly increased if we were able to give the number, certainly not insignificant, of morphiomaniacs, the victims of cocaine and ether, etc., who are led to crime by these intoxicants.

I think I should add as an additional cause of crime that stimulus to imitation, the publication by the press of minute details of criminal incidents, reports of the police courts, accompanied by portraits, autographs, and biographies of criminals, all of which becomes more harmful when we consider that it is furnished to a community where but 22 per cent. of the native criminals are illiterate.

Some people, as La Place has well said, inherit from nature an organism prone to evil, but they do not indulge in evil acts until they are incited thereto by hearing of or witnessing the crimes of others. Some years ago a package of checks was found wrapped in a piece of paper upon which the thief had written these unhappy lines taken from a romance by Bourrasque: "Conscience is a word invented to scare the ignorant and to constrain them to drag out their lives in misery. Thrones and millions are acquired only by fraud and violence." The page containing these sentiments had been fatal to him.

Imitation, especially when it arises from newspaper reading, is a fruitful source of homicide. It was observed that barely had the news of the murder of Bishop Sibour been published, when two other bishops were assassinated, and the report of the trial of Philippe, the strangler of servant girls, brought forth imitators in

the shape of Billoir and Moyau ; while Grimaud first of all attempted incendiarism, then killed his wife and threw nitric acid into the face of a friend, simply because he had read about similar crimes in the newspapers and he wished to achieve a like notoriety. In 1851 a woman in New York murdered her husband, and it was only a few days later that several others perpetrated the same crime. The crime of Troppmann produced such a sensation that for several days the circulation of the *Petit Journal* rose to 500,000 and that of *Figaro* to 250,000 per day ; and it is a fact that, very shortly afterwards, this wretch found an imitator in Belgium by the name of Mouster. Another curious proof of the force of example in such cases was seen in Turin. It was found one morning that the bank of Signor R—— had been broken into. The police arrested the secretary, in whose house was discovered the stolen money, which he declared he had taken without any intention of using it ; in fact, he could readily have stolen it without breaking in, but he desired to put in practice a crime similar to one of which he had read in the papers a few days before. His employer declared his confidence in the truth of the secretary's story, for he knew him to be an inveterate newspaper reader, and as soon as the culprit was released from jail he was reinstated in his old position.

Finally, there is that perpetual quota (which I have calculated to form 26 per cent.) of born criminals, almost all of them epileptics or morally insane—persons whom no civilization could cure, and who are to be found in all countries, including England, which has the lowest minimum of homicide. Train robbers are, for the most part, probably of this class ; they are attracted to that very dangerous crime after having committed highway robbery and murder, simply because they are born criminals, and they become such preys to the vanity of crime that the most obtuse of police might recognize them at a glance. Thus, Bosco tells us of a certain working mechanic, who, after leading a criminal career in Texas, engaged in a certain train robbery, and was wounded in the act. The day after the crime he made his appearance at a resort in St. Louis, and accounted for his wound by saying that he received it while hunting ; but shortly afterwards, upon reading in the newspaper the account of his crime, he could not restrain himself from exclaiming, as he showed the paper, that he himself had participated in the affair, thus illustrat-

ing the singular fact that men, otherwise intelligent and enterprising, are driven by a desire to gratify a criminal vanity to expose themselves to arrest and punishment.

The Remedy. As the physician never permits himself to expose a disease without suggesting the remedy, the reader is justified in asking what remedy I would suggest to check this prevalence of homicide in the United States.

To this inquiry I would reply that there will always be a certain number of homicides; for, as before shown, there is to be found in all countries a number of born criminals whose evil propensities no degree of civilization can suppress. So true is this that even in England, where it may be said every expedient has been tried to reclaim the occasional criminal, it has been demonstrated that there are certain individuals and, in fact, entire families who constantly and inevitably return to crime. The same thing has been said of another central European country which has done most to seek and to find remedies against such criminality and where religion has devoted itself to the task. refer to Switzerland. Geneva has its quota of habitual criminals, but this has been reduced by means suggested by the anthropological criminalist, such for instance as the establishment of colonies for the incorrigible and selection schools, which the United States, ever on the alert for new improvements, is about to adopt. By so doing, it will succeed in minimizing homicide long before European nations, which are opposed to changes and prefer to be killed rather than leave the old and beaten judiciary track laid out by the Roman code.

All those causes due in the United States to the opening up of new territories and the founding of new cities in sections conquered from the Indians, are fast disappearing. There will soon be no more reservations left to appropriate, and when not an acre of land will be left to the poor red man. The example of Massachusetts will eventually be followed by other States, and civilization, extending itself over the country like a torrent, will level all distinctions arising from race and climate. Even the excessive increase of homicide will cease and the quota furnished by this crime will be similar to that furnished by any Anglo-Saxon community, that race which is absorbing and assimilating all those who emigrate to its midst. But, in order to hasten this transformation as far as it affects crime, such legislation should be under-

taken as will result in a speedier suppression of the criminal by abolishing certain judicial formulas, doing away with the delays interposed by the wiles of lawyers, giving more independence to the police, divorcing the administration of the law from politics, and limiting the practice of liberating, under bail, those charged with the commission of crime ; for it is these abuses which have led to the adoption of lynch law.

It is not to be expected that a country so jealous of its liberties as the United States will consent to any restriction of freedom of the press, even for the purpose of circumventing crime; but it would at least seem that societies similar to the Temperance Society might try to modify public opinion so as to implant in it that same laudable reticence and pudicity in treating of sanguinary crimes as is observed in cases of offences against good morals, and that the homicide should inspire the same horror and detestation as is aroused by the criminal who gives rein to his carnal and brutal instincts. By this means homicide would diminish, since one of the strongest of modern motives for this crime, namely imitation and love of notoriety, would be removed. When we think of the enormous interest Holmes succeeded in arousing, the hundreds of letters he received in jail, his autographs scattered far and wide, his portrait and his every act published in thousands of newspapers—when we think of all this, we can understand what must have been its effect on the born criminal, possessed as he is of a profound sense of criminal and personal vanity, and what a powerful incentive was furnished him by this wide notoriety, an incentive which will grow stronger with time and culture as the press proceeds to invade the most remote and isolated spots in the country.

In view of the relatively large proportion of homicides among miners, namely 3.2 per cent., while in the community at large it is but 1.6 per cent., and knowing as we do how laborious is their toil, how they are addicted to the use of alcoholic liquors and in what light esteem they hold human life, we can readily understand that if their conditions were ameliorated by protecting them against the oppression of the mining companies and facilitating their means of raising a family, there would be fewer homicides among them, just as there are already fewer among mechanics. These latter, while furnishing a high percentage of homicides in Europe, contribute but a small one in the United States.

Some measures have already been adopted and applied for correcting immigration evils, such as requiring the immigrant to possess a certain grade of intelligence and a certain amount of capital; not unreasonable when it is considered that 35 per cent. of the homicides in the United States are committed by foreigners of no education.

The immigration rules referred to will, likewise, serve to prevent many of the violent assaults and homicides provoked by bad economic conditions and by ill-treatment at the hands of some of the immigrant's own countrymen who cruelly speculate in the newcomer's labor. If there were a group of government officials whose duty it was to examine the newly-arrived immigrants and to distribute them throughout the country by explaining to them what sections and what industries offer the greatest advantages, the latter would be freed from the heartless cruelty of the boss or padrone and from speculators, whose swindling practices frequently provoke a frenzied reaction.

As regards the negroes, while we cannot say that they are irredeemable, since they have already made considerable progress, it will probably take a long time to infuse among them such a degree of intellectual culture as will refine them and develop their moral sense, for the impulsive and lower instincts are the last to disappear. These, in fact, have not been entirely eradicated even from the white race, as mobs frequently demonstrate. Societies have been formed for the promotion of negro emigration to Africa, and others for the purpose of relieving the congestion of the cities and spreading the surplus urban population over the country and away from the large centers, all of which, if feasible, will tend to modify the evil I have referred to. Those laws, institutions, and societies directed against alcoholism, and which make America a model for the world, have already produced a powerful effect, for, as I have shown, the percentage of alcoholic homicide now is but 20 per cent., while in other countries it is as high as 70 per cent. It is to be hoped that with an increased propaganda and energy this satisfactory showing will become still more favorable; for a decreased consumption of alcohol means less insanity, less misery, fewer suicides, less epilepsy and sterility, and at the same time tends to a decrease in such crimes as assaults, brawls, and thefts, which are largely due to alcohol.

Finally, when institutions similar to the one at Elmira come to be multiplied, we may confidently hope that the occasional criminal will be almost a thing of the past, and besides the glory of such an initiative, America would thus enjoy the direct advantage of a decrease in her criminal population, especially if, to the admirable institutions referred to, she should add a penal colony for the incorrigible where the latter might procure the means of subsistence by their labor, or perish if they refused to toil. This would be simply to place them in the same conditions as the honest man has to confront, instead of leaving them as now to prey on the community.

With respect to the final cause of crime which I have before referred to, that is, the coexistence of the two types of barbarism and civilization, of violence and fraud, every day that passes is tending to decrease and suppress the barbarous type by reason of constantly increasing culture among all classes, accompanied by a horror of war and a desire for the abolition of standing armies—which, after all, are nothing but the official representatives of barbarism—and also by a diminished sphere of conquest.

Another evil which the future is likely to cure is the tendency of the agricultural population to crowd into the large cities; for the United States more than any other country is introducing reforms intended to make life in the small towns and agricultural centres more attractive, that is, by giving them parks, squares, theatres, and other city adjuncts. Furthermore, the saloon influence is being combated by temperance and religious societies. Coffee houses and places of popular entertainment are being provided for the masses, and these tend to draw men away from bar-rooms which, being frequented by the criminal element, constitute a fruitful source of crime. All this will, without doubt, result in a diminution of homicide which, while sufficiently frequent, as shown by statistics, is in reality no more so than among other civilized people, when we deduct that proportion which is chargeable to the negroes.

CESARE LOMBROSO.